

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION**

JOHN DOE,
Plaintiff,

V.

**VIRGINIA POLYTECHNIC
INSTITUTE AND STATE
UNIVERSITY, *et al.*,
Defendants.**

Civil Action No. 7:21-cv-00378

MOTION FOR LEAVE TO FILE BRIEF IN EXCESS OF TWENTY-FIVE PAGES

COMES NOW the Plaintiff, John Doe (“Plaintiff”), and hereby requests leave to file a brief opposing Defendants’ Motion to Dismiss Pursuant to Rule 12(b)(6) in excess of twenty-five pages, as required by this Court’s Scheduling Order (ECF No. 73). Defendants requested—and Plaintiff did not oppose—leave to file a brief in excess of twenty-five pages; in fact, their brief was 38 pages including the certificate of service. The Court granted Defendants’ motion orally on September 27, 2023 (ECF No. 96). Plaintiff, likewise, needs more than twenty-five pages to fully address Defendants’ arguments, notwithstanding that several of Defendants’ arguments had previously been considered and disposed of by this Court. There is thus good cause for this request.

WHEREFORE, Plaintiff respectfully requests that the Court enter an Order granting his Motion for Leave to File Brief in Excess of Twenty-Five Pages and granting such further relief as the Court deems just and proper. A proposed Order is attached hereto.

Respectfully submitted,

John Doe

By: /s/ Daniel J. Martin
Of Counsel

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CERTIFICATE OF SERVICE

I hereby certify that on October 11, 2023, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will send a notification of such filing to all counsel of record.

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